

FILED
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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

2005 FEB -8 PM 12:35

U.S. DISTRICT COURT
UNITED STATES OF AMERICA
DISTRICT OF MASS.

v.

RAMON DIAZ

CRIMINAL ACTION NO. 04-10237-NG

MOTION TO SUPPRESS OF DEFENDANT RAMON DIAZ

Now come the defendant Ramón Diaz, and moves, pursuant to Rule 12 and 47 of the Federal Rule of Criminal Procedure, to suppress from use as evidence at trial any evidence, tangible or intangible, seized from the person of the defendant or from within the vehicle he was driving on February 26, 2004 or from any area in which this defendant had a reasonable expectation of privacy.

The defendant further moves that any statements he made similarly be suppressed as evidence.

Said evidence was not seized pursuant to a valid warrant to search the defendant or the vehicle, was conducted without his express consent, and there was no probable cause to stop and search, or reasonable suspicion to stop the vehicle, all in violation of the defendant's rights as guaranteed by the Fourth and Fourteenth Amendments to the United States Constitution.

Ramón Diaz,
By His Attorney



Raymond A. O'Hara
1 Exchange Place
Worcester, MA 01608
MA Bar 546366
508 832-7551